



PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

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Total Number of Pages in This Submission

4

Application Number 10/712,696

Filing Date November 12, 2003

First Named Inventor UNGER

Art Unit 2613

Examiner Name LE, Vu

Attorney Docket Number 81097/7114

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Return Postcard 2. PTO Form SB/08A 3. 1 Reference
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Fitch, Even, Tabin & Flannery		
Signature			
Printed name	Steven M. Freeland		
Date	August 5, 2005	Reg. No.	42,555

CERTIFICATE OF TRANSMISSION/MAILING

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Docket No. 81097/7114

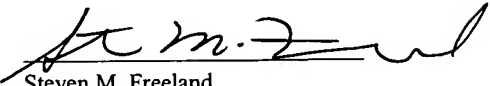
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert Allan Unger)
Application No.: 10/712,696)
Filed: November 12, 2003)
Title: APPARATUS AND METHOD FOR USE)
IN PROVIDING DYNAMIC BIT RATE)
ENCODING)
Art Unit: 2613)
Examiner: Vu Le)
Customer No.: 37123)
Confirmation No.: 9238)

Certificate of Transmission/Mailing

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8/5/05
Date


Steven M. Freeland
Registration No. 42,555
Attorney for Applicants

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is submitted:

____ Under 37 CFR §1.97(b) (within three months of the filing date of a
national application or date of entry of an international application,
or before the mailing date of a first Office Action on the merits,
whichever occurs last). However, should a first Office Action on the
merits be mailed unbeknownst to the undersigned prior to the date
of mailing of this paper, the fee requested under §1.17(p) may be
charged to Deposit Account No. 50-1616.

X Under 37 CFR §1.97(c) together with either:
____ a statement under 37 CFR §1.97(e), or
X a fee (\$180) under 37 CFR §1.17(p) which may be charged to

IDS

Application No. 10/712,696

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deposit account number 06-1135 of Fitch, Even, Tabin & Flannery. (after the 37 CFR §1.97(b) time period, but before the mailing date of a final Action, a Notice of Allowance, or an action that otherwise closes prosecution).

____ Under 37 CFR §1.97(d) together with:

____ a statement under 37 CFR §1.97(e), and

____ a fee under 37 CFR §1.17(p)

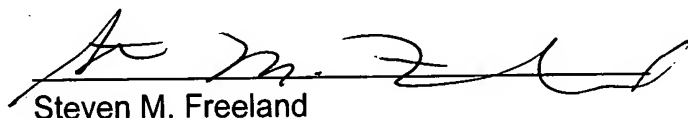
(after the 37 CFR §1.97(c) time period, but on or before payment of the issue fee).

In accordance with the duty of disclosure imposed by 37 CFR § 1.56 to inform the Patent Office of all patents, publications, applications and other information known by Applicants or Applicants' representative that may be material to the examination of the subject application, Applicants' representative hereby provides this Information Disclosure Statement that is prepared in accordance with 37 CFR §§ 1.97-1.98 and includes Form PTO/SB/08A with one reference listed as item AA.

It is requested that the information provided herein be made of record in this application.

Dated: August 5, 2005

Respectfully submitted,



Steven M. Freeland

Attorney for Applicants

Reg. No. 42,555

Address all Correspondence to:

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